

THURSDAY, JUNE 15, 2000

NINETY-SECOND LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Wood.

Representative Wood led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bowers; family death.

Representative Fitzhugh; personal reasons.

Representative Gunnels; personal reasons.

Representative McDonald; personal reasons.

MESSAGE FROM THE GOVERNOR

June 15, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 848, 850, 851 and 852, with his approval.

MICHELLE LONG, Counsel to the Governor.

MESSAGE FROM THE SENATE

June 15, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3344; also, Senate Joint Resolution(s) No(s). 955 and 958 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

June 15, 2000

The Speaker signed the following: Senate Bill(s) No(s). 3344; also, Senate Joint Resolution(s) No(s). 955 and 958.

MESSAGE FROM THE SENATE

June 15, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3107; for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

June 15, 2000

The Speaker signed the following: Senate Bill(s) No(s). 3107.

RESOLUTIONS

June 15, 2000

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 15, 2000:

House Joint Resolution No. 861 -- Memorials, Recognition - Lora Maye Smith. by *Winningham.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 3367** -- Public Funds and Financing -- House Finance, Ways and Means Committee

CONSENT CALENDAR

House Resolution No. 287 -- Memorials, Retirement - Criss Terry Caywood. by *Bunch.

House Resolution No. 288 -- Memorials, Death - Coach Dorsey Sims. by *Brooks.

House Joint Resolution No. 861 -- Memorials, Recognition - Lora Maye Smith. by *Winningham.

House Joint Resolution No. 870 -- Memorials, Personal Occasion - John and Britt Gibson, 70th Wedding Anniversary. by *McDaniel.

Rep. Brooks moved that all members of the Shelby County delegation voting aye on House Resolution No. 288 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 2889 -- Limitation of Actions - Adds nonsuit to reversal and arrest as to situations when plaintiff may commence new action under certain circumstances. Amends TCA Section 28-1-105. by *Person, *Kyle. (*HB2111 by *Buck)

Rep. Buck moved that Senate Bill No. 2889 be reset for the Message Calendar on June 27, 2000, which motion prevailed.

RECOGNITION IN THE WELL

Rep. Buck, Rep. Fowlkes and members of the Transportation Committee were recognized in the Well to introduce and honor Representative Robb Robinson on his retirement from the General Assembly.

RULES SUSPENDED

Rep. Buck moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 849 out of order, which motion prevailed.

House Joint Resolution No. 849 -- Memorials, Public Service - Representative Charles Robb Robinson. by *Buck.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Buck, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

SPECIAL ORDER

Rep. Rhinehart moved to take up the Minority Conference Committee Report No. 1 on House Bill No. 3364 ahead of the Majority Conference Committee Report, which motion prevailed.

***House Bill No. 3364** — Public Funds and Financing - Increases taxes and fees and reallocates revenues. Amends TCA Title 9; Title 13; Title 29; Title 40; Title 54; Title 55; Title 57; Title 59; Title 67 and Title 68. by *Head, *Rinks, *Cole (Dyer), *Cole (Carter), *Kent, *Garrett, *Rhinehart. (SB3351 by *Cooper)

**MINORITY CONFERENCE COMMITTEE REPORT NO. 1
ON HOUSE BILL NO. 3364**

A minority of the House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 3364 (Senate Bill No. 3351) has met and recommends that all Senate amendments and all House amendments be deleted.

The Committee further recommends that the following amendment be adopted:

SECTION 1. Tennessee Code Annotated, Section 67-6-102(30(D), is amended by deleting the language "public pay telephone services,".

SECTION 2. Tennessee Code Annotated, Section 67-6-329(a), is amended by deleting subdivisions (11) and (21).

SECTION 3. Tennessee Code Annotated, Section 67-6-330(a), is amended by deleting subdivisions (10) and (19).

SECTION 4. Tennessee Code Annotated, Section 67-6-201, is amended by adding the following new subdivision:

(11) Provides or engages in one (1) or more of the following services:

- (A) Accounting and auditing;
- (B) Amusements;
- (C) Business services:
 - (i) Advertising,
 - (ii) Building services,
 - (iii) Computer and data processing,
 - (iv) Credit report and collection,
 - (v) Detective and protective services

- (vi) Finance – except Securities Brokers,
- (vii) Mail, art reproduction and steno,
- (viii) Management consulting or public relations,
- (ix) Personnel supply,
- (x) Real estate agents, and
- (xi) Other;
- (D) Construction services;
- (E) Education, for-profit and nonprofit;
- (F) Engineers, architectural, surveying;
- (G) Government contracts;
- (H) Industrial and farm machinery;
- (I) Legal services;
- (J) Non profit:
 - (i) Amusements/member organizations,
 - (ii) Social services, and
 - (iii) Other research, testing, consulting;
- (K) Personal services:
 - (i) Beauty and barber shops,
 - (ii) Coin-operated laundry,
 - (iii) Funeral,
 - (iv) Veterinary and landscape,
 - (v) Other;
- (L) Social and other services (day care, etc.); and
- (M) Transportation services.

SECTION 5. Tennessee Code Annotated, Section 67-6-205(a), is amended by deleting the subsection and substituting the following:

(a)(1) There is levied a tax at the rate of six percent (6%) of the gross charge for all services taxable under this chapter before the effective date of this act.

(2)(A) There is levied a tax at the rate of one and one-half percent (1.5%) of the gross charge for all services taxable under Section 67-6-201(11) added by Section 4 of this act.

(B) The tax on services taxable under Section 67-6-201(11) added by Section 4 of this act shall be a state tax only and the allocation provisions of Section 67-6-103(a)(3) shall not apply.

SECTION 6. Tennessee Code Annotated, Section 13-23-402(a), is amended by deleting subdivisions (2) and (3) in their entirety.

SECTION 7. Tennessee Code Annotated, Section 29-13-116, is amended by adding the following new subsections:

(c) All expenses to administer the "Criminal Injuries Compensation Act of 1976" shall be paid from the criminal injuries compensation fund.

(d) Notwithstanding any provision of law to the contrary, the state treasurer is authorized to award a grant from the criminal injuries compensation fund to the district attorneys general conference for domestic violence and drug enforcement program operations in an amount not to exceed that specified in the general appropriations act each fiscal year.

SECTION 8. Tennessee Code Annotated, Section 59-1-116, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b) Notwithstanding the provisions of subsection (a), the commissioner of labor and workforce development shall increase the amount of the license fees charged under this section to the extent necessary to offset the reduction of the department's appropriation for mine licensing operations under the provisions of the general appropriations act for fiscal year 2000-2001.

SECTION 9. Tennessee Code Annotated, Section 67-3-2001, is amended by adding the following new subsection:

(k) Notwithstanding the provisions of Section 54-2-103 or any other law to the contrary, a percentage of funds collected and allocated to the state highway fund shall be deposited in the general fund as follows:

(1) If the statute allocating funds to the state highway fund earmarks two percent (2%) or more of the revenue collected for the general fund, no additional allocation to the general fund shall be made; and

(2) If the statute allocating funds to the state highway fund earmarks less than two percent (2%) of the revenue collected for the general fund, an amount equal to the amount necessary when added to the statutory earmark, if any, equals two percent (2%) of the revenue collected shall be earmarked for the general fund.

(3) The allocation of funds as provided in this subsection shall not have an impact on any scheduled or ongoing construction projects.

(4) The department of transportation shall submit any proposal for apportionment of costs resulting from the general fund allocation in this subsection to the state building commission for approval prior to implementing such proposal, including, but not limited to the programs and projects to be affected and the amount proposed to be allocated to each such program or project. Except as provided in subdivision (3) of this subsection, it is the legislative intent that the effect of this subdivision be allocated on a pro rata basis to any affected program or project.

SECTION 10. Tennessee Code Annotated, Section 67-4-402(b), is amended by deleting the language "pay to the state for state purposes an amount equal to one and nine-tenths percent (1.9%) of the person's gross receipts derived from such business" and by substituting instead the following:

pay to the state for state purposes an amount equal to two percent (2%) of the person's gross receipts derived from such business

SECTION 11. Tennessee Code Annotated, Section 67-4-402(b), is amended by deleting the first sentence of subdivision (1) and by substituting instead the following:

Notwithstanding any provision of this section or law to the contrary, twenty percent (20%) of the revenue generated by the tax imposed by this subsection shall be allocated to the highway fund for the purpose of funding programs for the prevention and collection of litter and trash and matters related thereto. The remaining eighty percent (80%) of the revenue generated by the tax imposed by this subsection shall be allocated to the general fund.

SECTION 12. Tennessee Code Annotated, Section 67-4-409(f), is amended by adding the following new subdivision:

(5) Notwithstanding the provisions of this subsection or any other law to the contrary, for a one (1) year period beginning July 1, 2000, expenditures from the agricultural resources conservation fund may be made in such amounts as are necessary for the purpose of acquiring new equipment for the department. The commissioner of agriculture shall determine the amounts necessary for the purchase of such equipment. The authorization to acquire equipment pursuant to this subdivision shall expire June 30, 2001.

SECTION 13. Tennessee Code Annotated, Section 67-4-606, is amended by deleting subdivision (3) in its entirety and by substituting instead:

(3) Forty-three and seventy-one hundredths percent (43.71%) of the proceeds shall be allocated to the general fund.

SECTION 14. Tennessee Code Annotated, Section 67-6-509, is amended by deleting that section in its entirety and by substituting instead the following:

67-6-509 (a) An out-of-state person making sales in Tennessee, who cannot be required to register for sales and use tax under applicable law but who nevertheless voluntarily registers to collect and remit use tax on items of tangible personal property sold to Tennessee customers, shall be allowed, for the purpose of compensating such person in accounting for and remitting the tax, a deduction against taxes due, reported and paid to the department as follows:

(1) Two percent (2%) of the first two thousand five hundred dollars (\$2,500) on each report; and

(2) One and fifteen one-hundredths percent (1.15%) of amounts over two thousand five hundred dollars (\$2,500) on each report.

(b) No deduction from tax shall be allowed if any such report or payment of tax is delinquent.

SECTION 15. Tennessee Code Annotated, Section 67-4-1004(a), is amended by deleting the language "six and one-half (6 ½) mills", and by substituting instead the language "six and three-quarter (6¾) mills".

SECTION 16. Tennessee Code Annotated, Section 57-3-302(a), is amended by deleting the language "one dollar and ten cents (\$1.10)", and by substituting instead the language "one dollar and sixteen cents (\$1.16)".

SECTION 17. Tennessee Code Annotated, Section 57-3-302(b), is amended by deleting the language "four dollars (\$4.00)", and by substituting instead the language "four dollars and twenty cents (\$4.20)".

SECTION 18. Tennessee Code Annotated, Section 57-5-201(a)(1), is amended by deleting the language "three dollars and ninety cents (\$3.90)", and by substituting instead the language "four dollars and ten cents (\$4.10)".

SECTION 19. Tennessee Code Annotated, Section 57-6-104(c)(5), is amended by inserting the language "or the state privilege tax levied in Tennessee Code Annotated, Section 57-5-201" immediately following the words "excise tax" in the first sentence.

SECTION 20. Tennessee Code Annotated, Title 9, Chapter 21, is amended by adding the following new part to expire on June 30, 2003:

Part ____.

HEALTH CARE REVENUE ANTICIPATION NOTES

Section 9-21-.01. Authorization, security, and retirement of health care revenue anticipation notes.

The governing body of a local government operating a nursing home is authorized to issue health care revenue anticipation notes under this part and part 1 of this chapter for the purpose of providing funds to be transferred to the state pursuant to an approved intergovernmental transfer agreement between the state and the local government. The principal amount of the notes shall not exceed an amount as determined by the state commissioner of finance and administration, as specified in the intergovernmental transfer agreement. The sale of the notes shall first be approved by the state director of local finance. Such notes and any interest thereon shall be secured solely by the payments by the state to the local government pursuant to the intergovernmental transfer agreement, and any payments received from the state by the local government shall immediately be applied to the retirement of any health care revenue anticipation notes issued for such purpose, together with any interest accruing thereon, with any remainder being used in such manner as determined by the governing body of the local government.

SECTION 21. Tennessee Code Annotated, Section 9-21-102, is amended by deleting the phrase "and tax anticipation notes" and substituting instead the phrase "tax anticipation notes, and health care revenue anticipation notes".

SECTION 22. Tennessee Code Annotated, Section 67-4-2109(c)(2), is amended by adding the following new subitem:

(G) If the business enterprise involves a required capital investment of in excess of one billion dollars (\$1,000,000,000) to be invested over a period not to exceed three (3) years from the date of filing of the first business plan relating to the business enterprise, and creates not less than one thousand (1000) full-time employee jobs with "full progression" or "top out" wages equal to or greater than one hundred fifty percent (150%) of Tennessee's average industrial wage for all manufacturing sectors as reported in the Monthly Labor Report published by the Tennessee Department of Labor and Workforce Development for the month of January of the year in which said full-time employee jobs are created, the credit allowed in subdivision (c)(2)(A) shall be five thousand dollars (\$5,000) for each net new full-time job created. For purposes of this subsection, the terms "full progression wage" and "top out wage" are synonymous and mean the wage that an employer assigns to a given job, to be obtained after a worker has completed all required training and experience in that job over an initial period not to exceed three (3) years. For purposes of this subsection, the full-time employee jobs are deemed created when first filled by employees, not when said employees attain "full progression" or "top out" wage status.

In addition to the tax credits allowed to the taxpayer under this subsection for the first tax year, all or a portion of the tax credits allowable under this subsection may also apply on an annual basis to offset taxpayer's franchise tax and excise tax liability under Title 67, Chapter 4 of the Tennessee Code Annotated for each tax year after the first tax year up to a total period not to exceed twenty (20) years, in which the full time employee jobs created by the required capital investment for which credits were originally issued remain filled by employees at wages equal to or greater than 150% of Tennessee's average industrial wage for all manufacturing sectors as reported in the Monthly Labor Report published by the Tennessee Department of Employment Security for the month of January of the tax year for which the credit is being taken, provided that the Commissioner of Economic and Community Development, with the written concurrence of the Comptroller, shall have determined that the location and nature of the capital investment is economically desirable and in the best interests of the citizens of this State, and shall have executed a writing specifying, for a given business enterprise, the maximum period for which the additional tax credits granted pursuant to this subsection will be allowed and the amount or percentage of additional tax credits that will be allowed from year to year after the first tax year during the specified maximum period. For purposes of this subsection, a required capital investment shall be deemed to have been made as of the date of payment or the date the business enterprise enters into a legally binding commitment or contract for purchase or construction. The three (3) year period for making the required capital investment and the three (3) year period after completion by a worker of initial training or probationary period provided for herein may be extended by the Commissioner of Economic and Community Development for a reasonable period, not to exceed one (1) year, for good cause shown.

SECTION 23. Tennessee Code Annotated, Section 67-4-2109(c)(2), is amended by adding the following new subitem:

(H) If the business enterprise involves a required capital investment of in excess of five hundred million dollars (\$500,000,000), to be invested over a period not to exceed three (3) years from the filing of the first business plan relating to the business enterprise, and creates not less than one thousand (1000) full-time employee jobs with "full progression" or "top out" wages equal to or greater than one hundred fifty percent (150%) of Tennessee's average industrial wage for all manufacturing sectors as reported in the Monthly Labor Report published by the Tennessee Department of Employment Security for the month of January of the year in which said full-time employee jobs are created, the credit allowed in subdivision (c)(2)(A) shall be five thousand dollars (\$5,000) for each net new full-time job created. For purposes of this subsection, the terms "full progression wage" and "top out wage" are synonymous and mean the wage that an employer assigns to a given job, to be obtained after a worker has completed all required training and experience in that job over an initial period not to exceed three (3) years. For purposes of this subsection, the full-time employee jobs are deemed created when first filled by employees, not when said employees attain "full progression" or "top out" wage status. For purposes of this subsection, a required capital investment shall be deemed to have been made as of the date of payment or the date the business enterprise enters into a legally binding commitment or contract for purchase or construction.

The three (3) year period for making the required capital investment and the three (3) year period after completion by a worker of initial training or probationary period provided for herein may be extended by the Commissioner of Economic and Community Development for a reasonable period, not to exceed one (1) year, for good cause shown.

SECTION 24. Tennessee Code Annotated, Section 67-4-2108, is amended as follows:

(1) Subsection 67-4-2108(a)(1) is amended by adding the words "and exempt required capital investments" after the words "excluding exempt inventory".

(2) Subsection 67-4-2108(a)(6) is amended by adding the following subitem:

() "Exempt required capital investments" means two-thirds in value of all capital investments which are the basis for a taxpayer's entitlement to credits under § 67-4-2109(c)(2)(G) and § 67-4-2109(c)(2)(H).

SECTION 25. Tennessee Code Annotated, Section 67-4-2008 is amended by adding the following as a new subdivision:

() (A) Any family-owned non-corporate entity in existence on June 30, 1999 where substantially all the activity of the entity is the production of passive investment income.

(B) For purposes of this subdivision ():

(i) "Family-owned" means that at least ninety-five percent (95%) of the ownership units of the entity are owned by members of the family, which means, with respect to an individual, only:

(A) An ancestor of such individual;

(B) the spouse or former spouse of such individual;

(C) a lineal descendent of such individual, of such individual's spouse or former spouse, or of a parent of such individual;

(D) the spouse or former spouse of any lineal descendent described in subitem (C);

(E) the estate or trust of a deceased individual who, while living, was as described in any of the above subitems.

(F) for purposes of this subdivision (), a legally adopted child of an individual shall be treated as the child of such individual by blood.

(ii) "Passive investment income" means gross receipts derived from royalties, rents, dividends, interest, annuities, and sales or exchanges of stock or securities to the extent of any gains therefrom.

SECTION 26. The provisions of this act shall not affect Chapter 540 of the Public Acts of 2000.

SECTION 27. Tennessee Code Annotated, Section 67-6-702, is amended by adding the following new subsection:

(h) The tax authorized by this section shall not apply to services taxed under Section 4 of this act.

SECTION 28. (a) The tax provided for in Sections 4 and 5 of this act shall be imposed and levied at the time payment for taxable services is received and shall be collected by the applicable service provider who keeps such provider's books on a cash basis from the consumer insofar as it can be done.

(b) The tax levied under Sections 4 and 5 of this act shall be due and payable monthly, on the first day of each month, and for the purpose of ascertaining the amount of tax payable under this part, it shall be the duty of all applicable service providers who keep their books on a cash basis on or before the twentieth day of each month to transmit to the commissioner, returns, showing the gross collections (net of refunds) arising from all sales of services taxable under this part during the preceding calendar quarter.

(c) At the time of transmitting the return required hereunder to the commissioner, the service provider shall remit to the commissioner therewith the amount of tax due under the applicable provisions of this part, and failure to so remit shall cause the tax to become delinquent.

(d) Any service provider who is liable for the tax imposed by this chapter may round off all figures used to the nearest dollar amount.

(e) The commissioner shall promulgate rules and regulations defining when services are provided to a Tennessee consumer. Such rules and regulations shall consider the physical location of the consumer and/or consumer's place of business benefited from such services. The physical location of where the services are rendered is not relevant.

SECTION 29. Tennessee Code Annotated, Title 67, Chapter 4, Part 3, is amended by adding the following new section:

Section 67-4-313. The following business shall be liable for a gross receipts tax at the rate of one and one-half percent (1.5%):

(1) Medical services, including physicians, dentists, hospitals, and any other providers of health care services.

SECTION 30. Tennessee Code Annotated, Title 67, Chapter 4, Part 4, is amended by adding the following new section:

(a) Each person located in this state and engaged in the business of broadcasting television programs over the airwaves in this state at no charge to the viewer or publishing newspapers shall, for the privilege of doing such business, pay to the state an amount equal to six percent (6%) of the gross receipts derived from such business per annum; provided, that no tax shall be owed on the first five hundred thousand dollars (\$500,000) of such gross receipts per annum. For purposes of this section, "gross receipts" means total receipts from whatever source derived before any deduction, but does not include state and local sales and other taxes collected from customers and remitted to the respective taxing authorities.

(b) If a person subject to tax under this section can show by reasonable proof that the person has paid tax in another state on receipts from the same television broadcasting or newspaper publication subject to tax under this section, the person shall be given credit for any such payment in computing the tax due under this section. Any unused credit for taxes paid in another state shall not be subject to carryover to a subsequent tax year.

(c) This tax does not apply to cities or other political subdivisions of this state owning and operating television broadcasting facilities, nor does it apply to any person who has qualified for exempt status under Section 501(c) or (d) of the Internal Revenue Code.

(d) The tax hereby shall be administered and collected in accordance with part 3 of this chapter.

(e) The tax imposed by this section is a state tax for state purposes only, and no county or municipality shall have power to levy such tax. Notwithstanding the provisions of any law to the contrary, all revenue collected from such tax shall be earmarked and allocated to the general fund and no portion of such tax shall be allocated to any county or municipality or included in any computation pertaining to allocation to any county or municipality.

SECTION 31. Tennessee Code Annotated, Section 67-4-712(b), is amended by deleting subdivision (4) in its entirety and by substituting instead the following:

(4) Any person taxable under the provisions of part 4 of this chapter with respect to receipts taxable under such provision; provided, that the exemption in this subdivision shall not apply to persons engaged in the business of television broadcasting or newspaper publication.

SECTION 32. Tennessee Code Annotated, Section 67-4-506(a), is amended by deleting the language "one and one-half percent (1.5%)" and substituting the language "three percent (3%)" and by deleting the language "two and one-half percent (2.5%)" and substituting the language "five percent (5.0%)". Tennessee Code Annotated, Section 67-4-506(b), is amended by deleting the language "one dollar (\$1.00)" and substituting the language "two dollars (\$2.00)" and by deleting the language "two dollars (\$2.00)" and substituting the language "four dollars (\$4.00)".

SECTION 33. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 34. The provisions of Section 4, 5, 27, and 28 of this act shall take effect January 1, 2001, the public welfare requiring it. Section 15 shall take effect for cigarette stamps purchased from the commissioner of revenue on or after July 1, 2000, the public welfare requiring it. All other provisions of this act shall take effect July 1, 2000, the public welfare requiring it.

/s/ Representative Shelby Rhinehart

Rep. Rhinehart moved that the Minority Report No. 1 of the Conference Committee on House Bill No. 3364 be adopted and made the action of the House.

Rep. McAfee moved the previous question on the Conference Committee Report, which motion prevailed.

Rep. Rhinehart moved that the Minority Report No. 1 of the Conference Committee on **House Bill No. 3364** be adopted and made the action of the House, which motion failed by the following vote:

Ayes.....	0
Noes	94

Representatives voting no were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Reps. McDaniel, Boyer and Harwell were recognized in the Well to introduce and honor retiring House member Representative Page Walley.

RULES SUSPENDED

Rep. McDaniel moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 863 out of order, which motion prevailed.

House Joint Resolution No. 863 -- Memorials, Retirement - Representative Page Walley. by *McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McDaniel, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Rep. McDaniel and members of the Hamilton County delegation were recognized in the Well to introduce and honor retiring House member Representative Bill McAfee.

RULES SUSPENDED

Rep. McDaniel moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 864 out of order, which motion prevailed.

House Joint Resolution No. 864 -- Memorials, Public Service - Representative Bill McAfee. by *McDaniel.

on of the resolution.

On motion of Rep. McDaniel, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes..... 95
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

PARLIAMENTARY SITUATION

Speaker Naifeh announced the parliamentary situation on the Conference Committee Reports pertaining to House Bill 3364. The Minority Report of Chairman Rhinehart (Minority Report No. 1) was taken up ahead of the Majority Report. The Minority Report of Chairman Rhinehart failed. The Majority Report remains on the desk awaiting action. The Minority Report was only taken up ahead in time of the Majority Report. It did not displace the Majority Report.

SPECIAL ORDER

Rep. Whitson moved to take up the Minority Conference Committee Report No. 2 on House Bill No. 3364 ahead of the Majority Conference Committee Report, which motion prevailed.

***House Bill No. 3364** -- Public Funds and Financing - Increases taxes and fees and reallocates revenues. Amends TCA Title 9; Title 13; Title 29; Title 40; Title 54; Title 55; Title 57; Title 59; Title 67 and Title 68. by *Head, *Rinks, *Cole (Dyer), *Cole (Carter), *Kent, *Garrett, *Rhinehart. (SB3351 by *Cooper)

MINORITY CONFERENCE COMMITTEE REPORT NO. 2 ON HOUSE BILL NO. 3364

A minority of the House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 3364 (Senate Bill No. 3351) has met and recommends that all Senate amendments and all House amendments be deleted.

Such minority of the members of the Committee further recommends that the following amendment be adopted:

By deleting all sections following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-202, is amended by deleting the language "six percent (6%)" in subsection (a) and by substituting instead the language "six and one-quarter percent (6.25%)".

SECTION 2. Tennessee Code Annotated, Section 67-6-203, is amended by deleting the language "six percent (6%)" in subsection (a) and by substituting instead the language "six and one-quarter percent (6.25%)".

SECTION 3. Tennessee Code Annotated, Section 67-6-204, is amended by deleting the language "six percent (6%)" wherever it appears in subsections (a) and (c) and by substituting instead the language "six and one-quarter percent (6.25%)".

SECTION 4. Tennessee Code Annotated, Section 67-6-205, is amended by deleting the language "six percent (6%)" in subsection (a) and by substituting instead the language "six and one-quarter percent (6.25%)".

SECTION 5. This act shall take effect July 1, 2000, the public welfare requiring it.

/s/ Representative Zane Whitson

Rep. Whitson moved that the House go under the rule, which motion prevailed.

Rep. Whitson moved that the Minority Report No. 2 of the Conference Committee on House Bill No. 3364 be adopted and made the action of the House.

Rep. U. Jones moved the previous question on the Conference Committee Report, which motion failed by the following vote:

Ayes	49
Noes	29
Present and not voting	1

Representatives voting aye were: Armstrong, Beavers, Bittle, Bone, Briley, Brooks, Brown, Buck, Chumney, Cole (Carter), Cooper, Curtiss, Davidson, DeBerry L., Eckles, Ford, Fowlkes, Fraley, Garrett, Godsey, Harwell, Hassell, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Langster, Maddox, McAfee, McMillan, Miller, Odom, Patton, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson, Sands, Sharp, Stulce, Tindell, Turner (Shelby), Walker, Walley, West, Wood -- 49.

Representatives voting no were: Arriola, Baird, Boyer, Cole (Dyer), Davis (Cocke), Davis (Washington), Dunn, Givens, Goins, Lewis, McCord, McDaniel, McKee, Montgomery, Newton, Phelan, Pleasant, Rinks, Roach, Sargent, Scroggs, Tidwell, Towns, Turner (Hamilton), Westmoreland, White, Whitson, Windle, Winningham -- 29.

Representatives present and not voting were: Kernell -- 1.

After further debate, Rep. Walley moved the previous question on the Conference Committee Report, which motion prevailed.

Rep. Whitson moved that the Minority Report No. 2 of the Conference Committee on **House Bill No. 3364** be adopted and made the action of the House, which motion failed by the following vote:

Ayes	14
Noes	77
Present and not voting	1

Representatives voting aye were: Boyer, Davis (Cocke), Ford, Kent, McDaniel, McKee, Montgomery, Patton, Phelan, Roach, Robinson, Sharp, Whitson, Winningham -- 14.

Representatives voting no were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fowlkes, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McMillan, Miller, Mumpower, Newton, Odom, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Williams, Windle, Wood, Mr. Speaker Naifeh -- 77.

Representatives present and not voting were: Fraley -- 1.

A motion to reconsider was tabled.

Without objection, Rep. Whitson moved that the House go out from under the rule.

SPECIAL ORDER

Rep. Hargrove moved to take up the Minority Conference Committee Report No. 3 on House Bill No. 3364 ahead of the Majority Conference Committee Report, which motion prevailed.

Rep. Head moved that the House go under the rule, which motion prevailed.

***House Bill No. 3364** -- Public Funds and Financing - Increases taxes and fees and reallocates revenues. Amends TCA Title 9; Title 13; Title 29; Title 40; Title 54; Title 55; Title 57; Title 59; Title 67 and Title 68. by *Head, *Rinks, *Cole (Dyer), *Cole (Carter), *Kent, *Garrett, *Rhinehart. (SB3351 by *Cooper)

MINORTY CONFERENCE COMMITTEE REPORT NO. 3 ON HOUSE BILL NO. 3364

A minority of the House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 3364 (Senate Bill No. 3351) has met and recommends that all Senate amendments and all House amendments be deleted.

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The Committee further recommends that the following amendment be adopted:

By deleting all sections following the enacting clause and by substituting instead

SECTION 1. Tennessee Code Annotated, Section 13-23-402(a) is amended by deleting

SECTION 2. Tennessee Code Annotated, Section 29-13-116 is amended by adding the following new subsections:

) All expenses to administer the "Criminal Injuries Compensation Act of 1976" shall be paid from the criminal injuries

(d) Notwithstanding any provision of law to the contrary, the state treasurer is authorized to award a grant from the criminal injuries

domestic violence and drug enforcement program operations in an amount not to exceed that specified in the general appropriations act

SECTION 3. Tennessee Code Annotated, Section 59-1-116 is amended by designating the existing language as subsection (a) and by adding the

(b) Notwithstanding the provisions of subsection (a), the amount of the license fees charged under this section to the extent necessary to offset the reduction of the department's appropriation for appropriations act for fiscal year 2000-2001.

SECTION 4. , is amended by

(e) Notwithstanding the provisions of subsections (a) – (d) or any other provision of law to the contrary, the amount paid to each city and county pursuant the fiscal year ending June 30, 1999, provided, however, the commissioner of revenue may revise fiscal year 1999 amounts for the sake of equity to reflect a remaining after such payment to cities and counties shall be deposited in the state general fund.

Tennessee Code Annotated, Section 67-3-2001, adding the following new subsection:

(k) Notwithstanding the provisions of Section 54-2-103 or any other law to fund shall be deposited in the general fund as follows:

(1) If the statute allocating funds to the state highway fund earmarks two percent (2%) or more of the revenue collected for the general fund, no additional allocation to the general fund shall be made;

(2) If the statute allocating funds to the state highway fund earmarks less than two percent (2%) of the revenue collected for the general fund, an amount equal to the amount necessary when added to the statutory earmark, if any, equals two percent (2%) of the revenue collected shall be earmarked for the general fund;

(3) The allocation of funds as provided in this subsection shall not have an impact on any scheduled or ongoing construction projects; and

(4) The department of transportation shall submit any proposal for apportionment of costs resulting from the general fund allocation in this subsection to the state building commission for approval prior to implementing such proposal, including, but not limited to, the programs and projects to be affected and the amount proposed to be allocated to each such program or project. Except as provided in subdivision (3) of this subsection, it is the legislative intent that the effect of this subsection be allocated on a pro rata basis to any affected program or project.

SECTION 6. Tennessee Code Annotated, Section 67-4-402(b), is amended by deleting the language "pay to the state for state purposes an amount equal to one and nine-tenths percent (1.9%) of the person's gross receipts derived from such business" and by substituting instead the following:

pay to the state for state purposes an amount equal to two percent (2%) of the person's gross receipts derived from such business

SECTION 7. Tennessee Code Annotated, Section 67-4-402(b), is amended by deleting the first sentence of subdivision (1) and by substituting instead the following:

Notwithstanding any provision of this section or law to the contrary, twenty percent (20%) of the revenue generated by the tax imposed by this subsection shall be allocated to the highway fund for the purpose of funding programs for the prevention and collection of litter and trash and matters related thereto. The remaining eighty percent (80%) of the revenue generated by the tax imposed by this subsection shall be allocated to the general fund.

SECTION 8. Tennessee Code Annotated, Section 67-4-409(f), is amended by adding the following new subdivision:

(5) Notwithstanding the provisions of this subsection or any other law to the contrary, for a one (1) year period beginning July 1, 2000, expenditures from the agricultural resources conservation fund may be made in such amounts as are necessary for the purpose of acquiring new equipment for the department. The commissioner of agriculture shall determine the amounts necessary for the purchase of such equipment. The authorization to acquire equipment pursuant to this subdivision shall expire June 30, 2001.

SECTION 9. Tennessee Code Annotated, Section 67-4-606, is amended by deleting subdivision (3) in its entirety and by substituting instead:

(3) Forty-three and seventy-one hundredths percent (43.71%) of the proceeds shall be allocated to the general fund.

SECTION 10. Tennessee Code Annotated, Section 67-6-206(b), is amended by deleting from subdivision (1) the language "Tax at the rate of one and one-half percent (1.5%) shall be imposed with respect to gas, electricity, fuel oil, coal and other energy fuels when sold to or used by manufacturers." and by substituting instead the following:

Tax at the rate of two percent (2%) shall be imposed with respect to gas, electricity, fuel oil, coal and other energy fuels when sold to or used by manufacturers. Notwithstanding any provision of this section or any other law to the contrary, any revenue generated from the increase in the tax rate from one and one-half percent (1.5%) to two percent (2%) shall be deposited in the general fund and no portion of such revenue shall be allocated to any county or municipality. Such revenue shall not be included in any computation pertaining to any such allocation to any county or municipality.

SECTION 11. Tennessee Code Annotated, Section 67-6-218, is amended by deleting that section in its entirety and by substituting instead the following:

67-6-218 (a) Notwithstanding any provision of this chapter to the contrary, tax at the rate of two percent (2%) shall be imposed with respect to electricity and liquefied gas, including, but not limited to, propane and butane, when sold to or used by farmers and nurserymen directly in the production of food or fiber for human or animal consumption or to aid in the growing of a horticultural product for sale.

(b) Notwithstanding any provision of this chapter to the contrary, tax at the rate of two percent (2%) shall be imposed with respect to the sale of coal, wood, wood products or wood by-products, or fuel oil, which is used as energy fuel in the production of nursery and greenhouse crops.

(c) Notwithstanding any provision of this section or any other law to the contrary, any revenue generated from the increase in the tax rate from one and one-half percent (1.5%) to two percent (2%) shall be deposited in the general fund and no portion of such revenue shall be allocated to any county or municipality. Such revenue shall not be included in any computation pertaining to any such allocation to any county or municipality.

SECTION 12. Tennessee Code Annotated, Section 67-6-509, is amended by deleting that section in its entirety and by substituting instead the following:

67-6-509 (a) An out-of-state person making sales in Tennessee, who cannot be required to register for sales and use tax under applicable law but who nevertheless voluntarily registers to collect and remit use tax on items of tangible personal property sold to Tennessee customers, shall be allowed, for the purpose of compensating such person in accounting for and remitting the tax, a deduction against taxes due, reported and paid to the department as follows:

(1) Two percent (2%) of the first two thousand five hundred dollars (\$2,500) on each report; and

(2) One and fifteen one-hundredths percent (1.15%) of amounts over two thousand five hundred dollars (\$2,500) on each report.

(b) No deduction from tax shall be allowed if any such report or payment of tax is delinquent.

SECTION 13. Tennessee Code Annotated, Section 67-4-1004(a), is amended by deleting the language "six and one-half (6½) mills", and by substituting instead the language "six and three-quarter (6¾) mills".

SECTION 14. Tennessee Code Annotated, Section 57-3-302(a), is amended by deleting the language "one dollar and ten cents (\$1.10)", and by substituting instead the language "one dollar and sixteen cents (\$1.16)".

SECTION 15. Tennessee Code Annotated, Section 57-3-302(b), is amended by deleting the language "four dollars (\$4.00)", and by substituting instead the language "four dollars and twenty cents (\$4.20)".

SECTION 16. Tennessee Code Annotated, Section 57-5-201(a)(1), is amended by deleting the language "three dollars and ninety cents (\$3.90)", and by substituting instead the language "four dollars and ten cents (\$4.10)".

SECTION 17. Tennessee Code Annotated, Section 57-6-104(c)(5), is amended by inserting the language "or the state privilege tax levied in Tennessee Code Annotated, Section 57-5-201" immediately following the words "excise tax" in the first sentence.

SECTION 18. This act shall take effect July 1, 2000, the public welfare requiring it.

/s/ Representative Jere Hargrove

Rep. Hargrove moved that the Minority Report No. 3 of the Conference Committee on House Bill No. 3364 be adopted and made the action of the House.

Rep. Godsey moved the previous question on the Conference Committee Report, which motion prevailed by the following vote:

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Ayes.....	58
Present and not voting.....	25

Representatives voting aye were: Arriola, Beavers, Bittle, Bone, Boyer, Briley, Brooks, (Washington), Dunn, Ford, Fowlkes, Fraley, Garrett, Godsey, Harwell, Hassell, Hood, Jackson, Jones S., Kent, Kerr, Maddox, McCord, McDaniel, McMillan, Montgomery, Odom, Patton, Stulce, Tidwell, Tindell, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 58.

DeBerry L., Ferguson, Givens, Goins, Hagood, Hargett, Head, Jones U., Kisber, Langster, Lewis, McAfee, McKee, Miller, Rhinehart, Towns, Turner (Shelby), Walker, West -- 25.

Rep. Hargrove
House Bill No. 3364 be adopted and made the action of the House, which motion prevailed by

Ayes.....	50
Present and not voting.....	40

Representatives voting aye were: Arriola, Bittle, Boyer, Briley, Buck, Caldwell, Chumney, Cole (Carter), Curtiss, Davidson, Dunn, Ford, Fraley, Garrett, Godsey, Hargrove, Harwell, Hood, Newton, Odom, Patton, Phelan, Pleasant, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Turner (Hamilton), Westmoreland, White, Williams, Winningham,

Representatives voting no were: Armstrong, Baird, Beavers, Bone, Brooks, Bunch, Buttry, Cole (Dyer), Cooper, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Langster, Lewis, McAfee, McDaniel, Miller, Mumpower, Pruitt, Rhinehart, Robinson, Towns, Turner (Shelby), Walker, Walley, West, Whitson, Windle -- 40.

A motion to reconsider was tabled.

RECESS MOTION

ENGROSSED BILLS

June 15, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 849, 861 and 870.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

June 15, 2000

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 287 and 288; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 15, 2000

The Speaker signed the following: House Resolution(s) No(s). 287 and 288.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

June 15, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 863 and 864.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 15, 2000

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 3259.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

June 15, 2000

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2491.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL HUMPHREY, Acting Chief Clerk.

June 15, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). and 869; concurred in by the Senate.

MESSAGE FROM THE SENATE
June 15, 2000

849, 861 , 864 and 870

RUSSELL HUMPHREY, Acting Chief Clerk.

RESOLUTIONS

Rule No. 17, the following resolution(s) was/were introduced and placed on June 15, 2000:

-- Memorials, Personal Occasion - Sapp, 100th birthday.

House Resolution No. 290 - by *Hood,
*Eckles, *Bone.

-- Memorials, Recognition - 568th Ordnance Heavy
by *West.

RECESS EXPIRED

The recess having expired, the House was called to order b

ROLL CALL DISPENSED WITH

On motion of Rep. , the roll call was dispensed with.

SUPPLEMENTAL CONSENT CALENDAR

-- Memorials, Personal Occasion - Sapp, 100th birthday.

House Resolution No. 290 - by *Hood,
*Eckles, *Bone.

House Joint Resolution No. 862 -- Memorials, Recognition - 568th Ordnance Heavy Maintenance Company Association. by *West.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Supplemental Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Supplemental Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	91
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Kernell -- 1.

A motion to reconsider was tabled.

NOTICE TO RECALL BILL

Pursuant to **Rule No. 53**, Rep. Sharp gave notice that House Bill No. 160 be recalled from the Budget Subcommittee and placed at the top of the Calendar for June 16, 2000.

ENGROSSED BILLS June 15, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 862.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 11:00 a.m., Friday, June 16, 2000.